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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/659,520	09/12/2000	Jeffry Jovan Philyaw	PHLY-25.355	6222.

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EXAMINER

NGUYEN, PHUOC H

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 11/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/659,520

Applicant(s)

PHILYAW, JEFFRY JOVAN

Examiner

Phuoc H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-26 rejected under 35 U.S.C. 102(e) as being anticipated by Buckley et al. U.S. Patent 6,446,871.
3. Referring to claims 1, and 14, Buckley reference disclose providing a triggering device (Figure 5, scanning implement (16)) having a unique code (Fig. 5, scan code (102)) associated therewith, the unique code associated with a remote location (Fig. 5, portal server (208)) on a network (Fig. 5, internet (106)) of the source of the web page (Fig. 5, content provider (214, or 216)); transmitting the unique code from the triggering device to an interface system (Fig. 5, ASCII string (200) from scanning device to client pc port (202)), the interface system disposed on the network at a triggering location (Fig. 5, from client pc (104) to internet (106)); retrieving location information associated with the unique code from a database, the location information corresponding to the location of the web page at the remote location on the network (Fig. 9, col. 11, lines 18-26 (map barcode with dB supported by content provider (214))); in response to retrieving the location information, connecting the interface system to the remote location, and presenting the web page corresponding to the location information of the remote location to the user via the interface system (col. 11, lines 6-26).

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4. Referring to claims 2, and 15, Buckley reference disclose the triggering device in the step of providing is a portable wireless transponder (Fig. 5, infrared or radio frequency port (202), col. 5, lines 49-55; and col. 7, lines 20-35).

5. Referring to claims 3, and 16, Buckley reference disclose the transponder has the unique code stored therein in a non-volatile memory (col. 6, lines 14-15; and col. 6, lines 62-64).

6. Referring to claims 4, and 17, Buckley reference disclose the unique code in the step of providing is uniquely associated with the web page (col. 8, lines 60 through col. 9, lines 7).

7. Referring to claims 5, and 18, Buckley reference disclose the interface system in the step of transmitting comprises a receiver operatively connected to a computer, the receiver for receiving a triggering signal having the unique code contained therein (Fig. 5, serial/IR/USB (202)).

8. Referring to claims 6, and 19, Buckley reference disclose the user manually enables the triggering device to transmit the unique code in the step of triggering (col. 9, lines 65 through col. 10, lines 6).

9. Referring to claims 7, and 20, Buckley reference disclose the step of retrieving location information further comprises the step of matching the unique code with the location information of the database (col. 10, lines 32-39).

10. Referring to claims 8, and 21, Buckley reference disclose the database in the step of retrieving is local to the interface system (Figures 4, and 5).

11. Referring to claims 9, and 22, Buckley reference disclose the database in the step of retrieving is located at an intermediary location on the network (col. 10, lines 31-35; Fig. 4, content databases 114, 116, and 118)

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12. Referring to claims 10, and 23, Buckley reference disclose the step of retrieving location information from the intermediary location further comprises the step of appending to the unique code routing information which defines the location of the intermediary location on the network such that: the unique code is transmitted to the intermediary location in accordance with the appended routing information (col. 10, lines 32-39).

13. Referring to claims 11, and 24, Buckley reference disclose the step of connecting is performed using a browser program (col. 10, lines 8-12).

14. Referring to claims 12, and 25, Buckley reference disclose the steps of retrieving, connecting and displaying are performed automatically in response to the step of transmitting (Fig. 4; col. 10, lines 32-39).

15. Referring to claims 13, and 26, Buckley reference disclose the step of presenting comprises displaying the web page to the user via a display operatively connected to the interface system (Fig. 9; col. 11, lines 6-26).

### ***Conclusion***

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Hecht et al. U.S. Patent 6,286,454**

**Russell et al. U.S. Patent 6,412,699**

**Shachar U.S. Patent 6,012,102**

**Knowles et al. U.S. Patent 5,869,819**

**He et al. U.S. Patent 6,328,213**

**Ishibashi U.S. Patent 6,279,830**

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 703-305-5315. The examiner can normally be reached on Mon -Thu ( 7AM-4:30PM ) and off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 703-308-5221. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Phuoc H. Nguyen  
Examiner  
Art Unit 2143

November 3, 2003



**DAVID WILEY**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100